

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:	§	
	§	CASE NO. 18-62649-jwc
Monica Lakisha Duggins	§	CHAPTER 13
	§	
Debtor	§	
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Carvana, LLC	§	CONTESTED MATTER
	§	
Respondent	§	
v.	§	
Monica Lakisha Duggins, Debtor	§	
	§	
Nancy J. Whaley, Trustee	§	
	§	
	§	
.....		

OBJECTION TO CONFIRMATION

COMES NOW, Carvana, LLC (Carvana) and makes and files its Objection to the Confirmation of the Debtor's Chapter 13 case for the reasons set forth below:

1.

The Debtor's plan lists the creditor as Bridgecrest when the contract and Certificate of Title reflects Carvana, LLC as the creditor.

2.

Carvana, holds a first priority lien on the Certificate of Title to the Debtor's 2016 Chevrolet Equinox FWD4CFFV, VIN: 2GNALCEK5G6198591.

3.

The subject vehicle was purchased on 06/05/2017, which is within 910 days of the filing of the within case and should be paid in full pursuant to 11 U.S.C Section 1325(a)(9).

4.

The Debtor's plan estimates Carvana's claim in the amount of \$20,432.00 with interest rate at 6.00% monthly payments in the amount of \$50.00, increasing to \$520.00 in 1/2020.

5.

Carvana is entitled to have its claim in the amount \$20,778.29, paid as fully secured. The contractual interest rate is 19.64%.

6.

The Debtor's proposed monthly payment and interest rate are insufficient to provide Carvana, with adequate protection.

THEREFORE, based upon the above and foregoing facts Carvana objects to the confirmation of the Debtor's Chapter 13 case.

This October 9, 2018

Respectfully Submitted

/s/ Richard B. Maner

Richard B. Maner, GA Bar No. 486588

Attorney for Respondent

5775 Glenridge Drive, Building D, Suite 100

Atlanta, GA 30328

Phone: (404) 252-6385, Fax: (404) 252-6394

Email: rmaner@rbmlegal.com

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of **OBJECTION TO CONFIRMATION** electronically. Those not served electronically have been served by depositing same in the United States Mail in a properly addressed envelope to each with adequate postage thereon as follows:

Monica Lakisha Duggins
4099 Robin Circle
Atlanta, GA 30349

Bobby Shane Palmer
The Semrad Law Firm
303 Perimeter Center North, Suite 201
Atlanta, GA 30346

Nancy J. Whaley
Nancy J. Whaley, Standing Ch. 13 Trustee
303 Peachtree Center Avenue
Suite 120, Suntrust Garden Plaza
Atlanta, GA 30303

This October 9, 2018

/s/ Richard B. Maner

Richard B. Maner, GA Bar No. 486588

Attorney for Respondent

5775 Glenridge Drive, Building D, Suite 100

Atlanta, GA 30328

Phone: (404) 252-6385, Fax: (404) 252-6394

Email: rmaner@rbmlegal.com

Georgia Certificate of Title

DISCLAIMER: DO NOT ACCEPT THIS TITLE WITHOUT THE SECURITY THREAD LOCATED APPROXIMATELY TWO INCHES FROM LEFT EDGE.

VEHICLE IDENTIFICATION NUMBER 2GNALCEK5G6198591	MAKE CHEVROLET	YEAR 2016	TYPE OF BODY MULTI-PURPOSE V	MODEL EQUINOX LT	CYL 4	DATE ISSUED 06/29/2017
DATE VEHICLE PUR 06/03/2017	FUEL GASOLINE	NEW OR USED USED	ODOMETER* 028049	PREVIOUS TITLE NBR / STATE OF ISSUE 20151201 /CA	NBR OF LIENS 1	COLOR GRY / GRY

OWNER

MONICA LAKISHA DUGGINS
4099 ROBIN CIR
ATLANTA GA 30349-1662

* ODOMETER READING IS ACTUAL MILEAGE OF THE VEHICLE UNLESS OTHERWISE INDICATED BELOW.

MAIL TO:

CARVANA LLC
PO BOX 29002
PHOENIX AZ 85038-9002

1ST LIEN OR SECURITY INTEREST

CARVANA LLC
PO BOX 29002
PHOENIX AZ 85038-9002

2ND LIEN OR SECURITY INTEREST

3RD LIEN OR SECURITY INTEREST

RELEASE OF LIEN OR SECURITY INTEREST

DATE OF RELEASE	SECURITY INTEREST HOLDER	AUTHORIZED AGENT
1ST LIEN		BY _____
2ND LIEN		BY _____
3RD LIEN		BY _____

The Georgia Department of Transportation, Department of Title Act and this title is subject to its provisions. The Department certifies that on application duly made, the person named herein is registered as the lawful owner of the vehicle described subject to any liens or security interests set forth and such liens or security interests as may subsequently be filed with the Commissioner.

Lynette T. Riley
STATE REVENUE COMMISSIONER